

REMARKS

Claim Status

Claims 38-42, 44, 46-48, 50, 52, 59-68, 72-79, and 82-91 are not amended by this response and are pending. Claim 92 is canceled.

Telephone Interview

A telephone interview was conducted by Examiner John Bastianelli and Applicant's attorney, Ken Smith. Paragraph number 21 on page 13 of the Office Action dated December 29, 2008 and United States Patent No. 3,599,932 to Scaramucci (herein "Scaramucci") were discussed. It was agreed that rejections based Scaramucci would be withdrawn. However, Examiner Bastianelli indicated that he would prepare and send out a new, Non-Final, Office Action that would reject all of the pending claims.

Claim Rejections 35 USC § 101

Claim 92 is canceled.

Claim Rejections 35 USC § 103

Applicant maintains that claims 38-42, 44, 46-48, 50, 52, 59-68, 72-79, and 82-91 are patentable for at least the reasons set forth in the Amendment and Request for Continued Examination filed on October 10, 2008. These reasons are not presented here again in detail, since a new, Non-Final, Office Action is being prepared by Examiner Bastianelli.

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such other fees incurred as a result of entering this amendment to deposit account number 03-0172, order number 22188/06985.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ken Smith", written in a cursive style.

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